

REMARKS

A response has already been filed in this case on April 25, 2002 Office Action by Express Mail. This is a supplemental amendment which only adds claims. Specifically, it adds Claims 31-60, which are mostly the same as respectively the original (unamended) Claims 1-30. The only change from Claim 1 made in Claim 31 is at line 9 that recites "thereby causing said acceptor-doped layer..." Hence the language in original claim 1 which began "causing said acceptor-doped layer...", which was a separate clause in original claim 1, is now incorporated into the previous clause of Claim 31 as a thereby clause.

It is respectfully believed that even with this amendment, new Claim 31 (similar otherwise to original Claim 1) distinguishes over the references cited by the Examiner in rejecting original Claim 1.

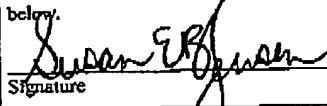
The rejection cited Bour et al. in view of Koike et al. under 35 U.S.C. 103. That rejection is traversed as regards new Claim 31. The Examiner's attention is drawn to the last step of Claim 31 which says "annealing said p-type layer at a temperature below 625°C to remove hydrogen..." The Examiner found this in Bour et al. at column 2, lines 32-45. It is respectfully pointed out that this is a gross misinterpretation of the Bour et al. disclosure. In describing annealing, Bour et al. is pointing to the Nakamura et al. annealing at Column 2, lines 22-24. However, Bour et al. specifically teaches away from annealing. See Bour et al. Abstract last sentence which teaches away from annealing and also Bour et al., Summary of the Invention at column 4, lines 17-21. Citing Bour et al. for teaching annealing is misleading. While there may be annealing in Nakamura et al., this is not specifically recommended in Bour et al. The Examiner did not rely on Nakamura et al. Moreover, it is well known, of course, that high temperature annealing such as the 1000°C of Nakamura et al. is known in the art. See also admitted prior art of present Figure 2 which also shows high temperature annealing.

LAW OFFICES OF  
SKJERVEN MORRILL LLP  
3 EMBARCADERO CENTER  
SUITE 2500  
SAN FRANCISCO, CA 94111  
TEL (415) 317-6000  
FAX (415) 434-0640

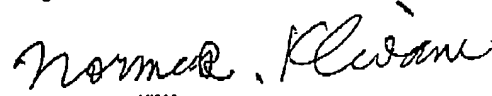
In contrast, Claim 31 is directed to annealing "at a temperature below 625°C." This is not taught in Bour et al. and of course, Bour et al. teaches away from this. Also, the Figure 2 prior art is high temperature (700 °C) annealing. The lower temperature annealing in accordance with Claim 31 is advantageous as minimizing the resulting thermal load on the resulting demo.

Hence it is respectfully pointed out that Bour et al., even in combination with Koike et al., does not meet the annealing step of Claim 31 which thereby distinguishes thereover. The remaining Claims 32-60 are dependent upon Claim 31 and are allowable for at least the same reasons as is Claim 31.

For these reasons, it is submitted that all pending Claims 1-60, are in condition for allowance, and allowance thereof is requested. If the Examiner's next action is other than entry of this supplemental amendment and allowance of all pending claims, the Examiner is respectfully requested to call Applicants' representative at 408-453-8200.

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Respectfully submitted,

  
Norman R. Klivans  
Reg. No. 33,003  
Telephone No.: (408) 453-9200

LAW OFFICES OF  
SKJERVEN MORRILL LLP  
2 EMBARCADERO CENTER  
SUITE 2800  
SAN FRANCISCO, CA 94111  
TEL (415) 217-0000  
FAX (415) 474-0666